

REMARKS

The applicant notes with appreciation the allowance of Claims 34-39 and the allowability of Claim 41 if rewritten in independent form to include all the limitations of the base claim and any intervening claims. However, because Claim 40, upon which Claim 41 is dependent, is believed to be patentable for reasons set forth below, the Applicants respectfully request that the rewriting of Claim 41 be deferred pending further Office Action or actions be issued in this matter.

Reconsideration is respectfully requested for Claims 31-33 and 40, said claims having been variously rejected as follows:

Claims 31-33 have been rejected under 35 USC 112, the Examiner alleging, in substance, that the applicant's specification has no teaching of a valve in the internal passageway that is opened by insertion. This rejection is respectfully traversed.

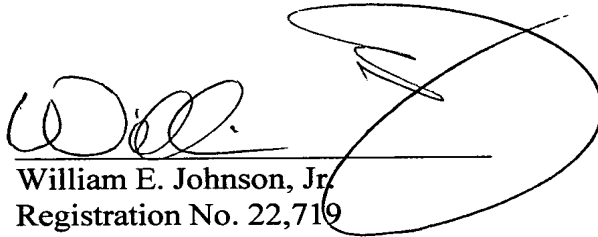
The sliding valve used by the applicant obviously has to slide somewhere. The sliding valve is caused to be inserted within the internal passage and thus, by uncovering the at least one port, the internal passageway is opened. The applicant therefore respectfully submits that the language as set forth in Claims 31-33 is clearly supported by the applicants' specification. Moreover, this is quite clear from the Examiner's statement that the application only has ports (or at least one port as set forth in Claim 31) that are uncovered by the sliding valve itself, which supports the language "a valve in the internal passage". The applicants therefore respectfully submit that the Claims 31-33 fully comply with 35 USC 112, and the allowance of Claims 31-33 is therefore courteously solicited.

Claim 40 has been rejected under 35 USC 102(b) based upon U.S. Patent No. 3,141,506. This rejection is respectfully traversed. As a starting point, the '506 patent to Thomas is not a fill-up and circulation tool. The Examiner's attention is respectfully directed to FIG. 1 of the drawings for the '506 patent, which clearly shows that the tool is a wireline tool, which traverses the casing string 11 by way of the wireline cable 37 as illustrated in FIG. 1. Moreover, it is quite clear from a careful reading of the

'506 patent that the wireline tool, which is the subject of the patent, is used for either plugging the casing (see Column 1, Lines 38-42), or which can be used to unplug the tool and thereafter to allow circulation of fluid through the tool (see Column 1, Lines 43-46). These types of operations have nothing to do with the present invention with a casing fill-up and circulation tool. Quite simply, a wireline tool, such as is shown in the '506 patent to Thomas, is not suitable for that purpose. Accordingly, it is respectfully submitted that Claim 40 is not anticipated by the Thomas reference and a favorable reconsideration is respectfully requested.

For the reasons as set forth above, Claims 31-33, 40 and 41 are believed to be in condition for allowance and the applicants therefore respectfully request that this case be allowed and the application be advanced to issue.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "W. E. Johnson, Jr.", is written over a horizontal line. To the right of the signature is a large, stylized circular flourish or checkmark.

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